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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,452	11/21/2003	Gilad Odinak	018.0381.US.UTL	3033
22895 7590 05/28/2008 CASCADIA INTELLECTUAL PROPERTY 500 UNION STREET SUITE 1005 SEATTLE, WA 98101			EXAMINER ANWAH, OLISA	
			ART UNIT 2614	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/719,452	Applicant(s) ODINAK, GILAD	
	Examiner OLISA ANWAH	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2008.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-8, 10-19 and 21-36 are rejected under 35 U.S.C. § 102(e) as being anticipated by Haaramo et al, U.S. Patent No. 6,757,531 (hereinafter Haaramo).

Regarding claim 1, Haaramo discloses a system for providing flexible message-based communications over a centralized messaging infrastructure, comprising:

a controller to process a plurality of symmetric digital voice messages; and

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a voice message server to centrally transact one or more voice message sessions over a digital data network (see GPRS network from column 4), comprising:

a message queue to transiently store each such digital voice message; and

a queue manager to logically interconnect a plurality of devices (see units 7, 8, 9 and 10 from Figure 1) by routing each transiently stored digital voice message between the interconnected devices (see When the message reaches the server, it broadcasts the message to each member of the group from column 12).

Regarding claim 2, see Figure 4.

Regarding claim 3, see Figure 4.

Regarding claim 4, see Figure 2.

Regarding claim 5, see Figure 4.

Regarding claim 6, see Figure 11A.

Regarding claim 7, see Figure 3.

Regarding claim 8, see Figure 3.

Regarding claim 10, see Figure 3.

Regarding claim 11, see column 4.

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Regarding claim 12, Haaramo discloses a method for providing flexible message-based communications over a centralized messaging infrastructure, comprising:

processing a plurality of symmetric digital voice messages;
and

centrally transacting one or more voice message sessions over a digital data network (see GPRS network from column 4), comprising:

transiently storing each such digital voice message;
and

logically interconnecting a plurality of devices (see units 7, 8, 9 and 10 from Figure 1) by routing each transiently stored digital voice message between the interconnected devices (see When the message reaches the server, it broadcasts the message to each member of the group from column 12).

Regarding claim 13, see Figure 4.

Regarding claim 14, see Figure 4.

Regarding claim 15, see Figure 2.

Regarding claim 16, see Figure 4.

Regarding claim 17, see Figure 11A.

Regarding claim 18, see Figure 3.

Regarding claim 19, see Figure 3.

Regarding claim 21, see Figure 3.

Regarding claim 22, see column 4.

Regarding claim 23, see Figure 1.

Regarding claim 24, Haaramo discloses an apparatus for providing flexible message-based communications over a centralized messaging infrastructure, comprising:

means for processing a plurality of symmetric digital voice messages; and

means for centrally transacting one or more voice message sessions over a digital data network (see GPRS network from column 4), comprising:

means for transiently storing each such digital voice message; and

means for logically interconnecting a plurality of devices (see units 7, 8, 9 and 10 from Figure 1) by means for routing each transiently stored digital voice message between the interconnected devices (see When the message reaches the server, it broadcasts the message to each member of the group from column 12).

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Regarding claim 25, Haaramo discloses a system for providing flexible message-based communications with personal communication devices over a centralized messaging infrastructure comprising:

a plurality of personal communication devices (see units 7, 8, 9 and 10 from Figure 1) to originate digital voice messages comprising digitized voice;

a voice message server to communicatively interface to the one or more personal communication devices over a digital data network (see GPRS network from column 4); and

a queue manager to centrally process the digital voice messages, comprising:

a receiver to receive each digital voice message from at least one such personal communication device (see The terminal records a voice message and sends it to the server from column 12);

a message queue to transiently store the digital voice message; and

a sender to send the digital voice message to at least one such personal communication device identified in the digital voice message (see When the message reaches the server, it broadcasts the message to each member of the group from column 12).

Regarding claim 26, see Figure 4.

Regarding claim 27, see Figure 1.

Regarding claim 28, see column 4.

Regarding claim 29, see Figure 3.

Regarding claim 30, Haaramo discloses a method for providing flexible message-based communications with personal communication devices over a centralized messaging infrastructure, comprising:

originating digital voice messages comprising digitized voice through a plurality of personal communication devices (see units 7, 8, 9 and 10 from Figure 1);

communicatively interfacing the one or more personal communication devices over a digital data network (see GPRS network from column 4); and

centrally processing the digital voice messages, comprising:

receiving each digital voice message from at least one such personal communication device (see The terminal records a voice message and sends it to the server from column 12);

transiently storing the digital voice message; and

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sending the digital voice message to at least one such personal communication device identified in the digital voice message (see When the message reaches the server, it broadcasts the message to each member of the group from column 12).

Regarding claim 31, see Figure 4.

Regarding claim 32, see Figure 1.

Regarding claim 33, see column 4.

Regarding claim 34, see Figure 11A.

Regarding claim 35, see Figure 1.

Regarding claim 36, Haaramo discloses an apparatus for providing flexible message-based communications with personal communication devices over a centralized messaging infrastructure, comprising:

means for originating digital voice messages comprising digitized voice through a plurality of personal communication devices (see units 7, 8, 9 and 10 from Figure 1);

means for communicatively interfacing the one or more personal communication devices over a digital data network (see GPRS network from column 4); and

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means for centrally processing the digital voice messages, comprising:

means for receiving each digital voice message from at least one such personal communication device (see The terminal records a voice message and sends it to the server from column 12);

means for transiently storing the digital voice message; and

means for sending the digital voice message to at least one such personal communication device identified in the digital voice message (see When the message reaches the server, it broadcasts the message to each member of the group from column 12).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 9 and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Haaramo in view of Applicant's Admitted Prior Art.

As per claim 9, Haaramo fails to teach a speech recognition component to transcribe the digital voice messages using a proxy voice server interfaced to the device over a voice network. At any rate, Applicant admits that this feature is old and well known in the art (see line 1 of page 11). And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Haaramo with a speech recognition component to transcribe the digital voice messages using a proxy voice server interfaced to the device over a voice network as admitted by Applicant. This modification would have improved the system's convenience by providing a terminal that is easy to use and cheap to produce as suggested by Haaramo (see column 2).

Claim 20 is rejected for the same reasons as claim 9.

Response to Arguments

5. Applicant argues that Haaramo fails to teach a message queue to transiently store each digital voice message. The Examiner respectfully disagrees. Because Haaramo teaches transmitting the recorded message to a server and further

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transmitting the message to each terminal from the server (from column 3, see lines 25 through 30), Haaramo teaches transiently store each digital voice message. More specifically, because the recorded messages of Haaramo pass through the communication server (see Figure 6), Haaramo teaches a message queue to transiently store each digital voice message.

Applicant also incorrectly argues that Haaramo fails to teach an authentication component to process an operation by at least one such device selected from the group comprising at least one of a sign-in and a sign-out. Because Haaramo discloses calling to the server, informing the group members to the server, updating the server and activating the group (see steps 274 through 282 from Figure 4), Haaramo discloses the claimed sign-out. As per the claimed sign-out, Haaramo teaches that when somebody leaves the group, the server is contacted by the terminal and the register is updated regarding the group (see column 13).

Applicant further contends that Haaramo fails to teach centrally processing the digital voice message. The Examiner cannot agree due to the fact that the communication server of Haaramo (see Figure 6) is central to each of the terminals.

Applicant also alleges that Haaramo's method of broadcasting messages to each member of a group when a message

reaches the server is the antithesis of store-and-forward processing. Contrary to Applicant's allegations, because the recorded messages of Haaramo pass through the server, Haaramo teaches the recorded messages are transiently stored and forwarded by the server. In fact, Haaramo unambiguously states that the server includes store and forward capabilities (see lines 45 through 50 of column 5).

Citation of Pertinent Art

6. In evaluating the allowability of the pending independent claims, one must consider Ross et al, U.S. Patent Application Publication No. 2002/0039895 (hereinafter Ross).¹ Just like Haaramo, Ross discloses:

A system for providing flexible message-based communications over a centralized messaging infrastructure, comprising:

a controller to process a plurality of symmetric digital voice messages (see digitized voice from abstract); and

a voice message server (see server (312) from abstract) to centrally transact one or more voice message sessions over a

¹ Although Applicant distinguished Ross from the instant invention (see page 3 of the specification), the Examiner submits that none of the independent claims contain the noted differences.

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digital data network (see Internet, or an Intranet or Extranet from abstract), comprising:

a message queue to transiently store (see placing (210) a streaming voice data message on the server from paragraph 0017) each such digital voice message; and

a queue manager to logically interconnect a plurality of devices by routing (see sending (212) the placed data from paragraph 0017) each transiently stored digital voice message between the interconnected devices (see wireless telephones at the other Internet, Intranet, or Extranet addresses from paragraph 0017).

Conclusion

7. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

OA

Olisa Anwah

Olisa Anwah
Patent Examiner
May 22, 2008